

IN THE CLAIMS:

Please amend the claims as shown below. The claims, as pending in the subject application, read as follows:

1. (Currently Amended) A communication apparatus which includes IP (Internet Protocol) communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number, comprising:

IP address obtaining means for obtaining an IP address of the destination station from an SIP (Session Initiation Protocol) proxy server based on the telephone number of the destination station;

facsimile communication means for performing facsimile communication to/from the destination station;

converting means for converting a signal received/transmitted from/to said facsimile communication means without via a line switching network, into VoIP (Voice over Internet Protocol) data on an IP network;

IP network connecting means for connecting to the IP network; ~~and~~
~~control means for controlling to;~~

if discriminating means for discriminating whether or not the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol independent of a facsimile protocol [..];

first IP communication means for transmitting/receiving image data to/from the destination station based on a predetermined file transmit/receive protocol independent of a facsimile protocol in accordance with a discrimination result that the destination station is able to transmit/receive communication data on the IP network based on the

~~predetermined file transmit/receive protocol independent of the facsimile protocol, wherein the image data is transmitted/received start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol independent of the facsimile protocol, via the IP network connecting means without via a line switching network, using the obtained IP address of the destination station, in response to the requirement of the IP address by said IP address obtaining means;~~ and

~~second IP communication means for transmitting/receiving image data to/from the destination station based on the facsimile protocol by said facsimile communication means, and transmitting/receiving the VoIP data obtained through said converting means to/from a gateway of the destination station, in accordance with a discrimination result that the if said destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, cause said facsimile communication means to start transmission/reception of image data to/from the destination station, causing said converting means to execute conversion of the signal that said facsimile communication means transmits/receives to the VoIP data to transmit/receive, wherein the VoIP data is transmitted/received via the IP network connecting means without via a line switching network, using the obtained IP address of the destination station thus converted signal to/from the destination station via said IP network connecting means, in response to the requirement of the IP address of the destination station by said IP address obtaining means.~~

2. and 3. (Canceled)

4. (Currently Amended) A communication apparatus according to Claim 1, wherein said IP address obtaining means judges, by analyzing the telephone number of the destination station, whether or not the obtaining means is able to perform the communication with the destination station via a VoIP (Voice over Internet Protocol) network, and tries to obtain the IP address of the destination station from a predetermined server when it is able to perform the communication via the VoIP network, and said first IP communication means ~~control~~ means transmits/receives the ~~communication~~ image data to/from the destination station on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol by using the obtained IP address of the destination station.

5. (Previously Presented) A communication apparatus according to Claim 1, wherein said IP network connecting means is an ADSL (Asymmetric Digital Subscriber Line) modem.

6. (Currently Amended) A communication apparatus according to Claim 1, wherein the IP address of the destination station is obtained from a predetermined server based on the telephone number of the destination station by using a predetermined UDP (User Datagram Protocol), and said ~~control~~ first IP communication means ~~controls to~~ transmits/receives the ~~communication~~ image data to/from the destination station by using the obtained IP address of the destination station, based on a predetermined TCP (Transmission Control Protocol).

7. (Currently Amended) A control method executed in a communication apparatus which includes an IP (Internet Protocol) communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number, an IP address obtaining means for obtaining an IP address of the destination station from an SIP (Session Initiation Protocol) proxy server based on the telephone number of the destination station, a facsimile communication means for performing a facsimile communication to/from the destination station, a converting means for converting a signal received/transmitted from/to said facsimile communication means without via a line switching network, into VoIP (Voice over Internet Protocol) data on the IP network, an IP connecting means for connecting to the IP network, ~~and a control unit,~~ the method comprising:

~~if a discriminating step of discriminating whether or not the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol independent of a facsimile protocol[[.]];~~

~~a first IP communication step of transmitting/receiving image data to/from the destination station based on a predetermined file transmit/receive protocol independent of a facsimile protocol in accordance with a discrimination result that the destination station is able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, wherein the image data is transmitted/received~~ ~~the control unit controlling to start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol independent of the facsimile protocol,~~ via the IP network connecting means without via the line switching network, using the obtained IP address of

~~the destination station, in response to the acquirement of the IP address by the IP address obtaining means;~~ and

a second IP communication step of transmitting/receiving image data to/from the destination station based on the facsimile protocol by said facsimile communication means, and transmitting/receiving the VoIP data obtained through said converting means to/from a gateway of the destination station, in accordance with a discrimination result that the ~~if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, the control unit controlling to cause said facsimile communication means to start transmission/reception of image data to/from the destination station, and causing said converting means to execute conversion of the signal that said facsimile communication means transmits/receives to the VoIP data to transmit/receive wherein the VoIP data is transmitted/received via the IP network connecting means thus converted signal to/from the destination station via the IP network connecting means without via the line switching network, using the obtained IP address of the destination station in response to the acquirement of the IP address of the destination station by said IP address obtaining means.~~

8. and 9. (Canceled)

10. (Currently Amended) A control method according to Claim 7, wherein the IP address obtaining means judges, by analyzing the telephone number of the destination station, whether or not the obtaining means is able to perform the communication with the destination station via a VoIP network, and tries to obtain the IP

address of the destination station from a predetermined server when it is able to perform the communication via the VoIP network, and the first IP communication step transmits/receives the image data ~~is transmitted/received~~ to/from the destination station on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol by using the obtained IP address of the destination station.

11. (Previously Presented) A control method according to Claim 7, wherein the IP network connecting unit is an ADSL (Asymmetric Digital Subscriber Line) modem.

12. (Currently Amended) A control method according to Claim 7, wherein the IP address of the destination station is obtained from a predetermined server based on the telephone number of the destination station by using a predetermined UDP (User Datagram Protocol), and the first IP communication step transmits/receives the image data ~~is transmitted/received~~ to/from the destination station by using the obtained IP address of the destination station, based on a predetermined TCP (Transmission Control Protocol).

13. (Currently Amended) A computer-readable storage medium on which is stored computer code for a control program for a communication apparatus which includes an IP (Internet Protocol) communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number, an IP address obtaining means for obtaining an IP address of the destination station from an SIP (Session Initiation Protocol) proxy server based on the telephone number of the destination station, a facsimile communication means for performing a facsimile

communication to/from the destination station, a converting means for converting a signal received/transmitted from/to said facsimile communication means without via a line switching network, into VoIP (Voice over Internet Protocol) data on the IP network, an IP connecting means for connecting to an IP network, ~~and a control unit;~~ the program comprising:

if a discriminating step of discriminating whether or not the destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol independent of a facsimile protocol[[.]]; ~~;~~

a first IP communication step of transmitting/receiving image data to/from the destination station based on a predetermined file transmit/receive protocol independent of a facsimile protocol in accordance with a discrimination result that the destination station is able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, wherein the image data is transmitted/received ~~the control means controls to start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol independent of the facsimile protocol;~~ via the IP network connecting means without via the line switching network, using the obtained IP address of the destination station, ~~in response to the requirement of the IP address by the IP address obtaining means;~~ and

a second IP communication step of transmitting/receiving image data to/from the destination station based on the facsimile protocol by said facsimile communication means, and transmitting/receiving the VoIP data obtained through said converting means to/from a gateway of the destination station, in accordance with a discrimination result that the ~~if the destination station is not able to transmit/receive~~

communication data on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol, ~~the control means controls said facsimile communication means to start transmission/reception of image data to/from the destination station, and causes said converting means execute conversion of the signal that is transmitted/received to the VoIP data to transmit/receive, wherein the VoIP data is transmitted/received via the IP network connecting means without via the line switching network, using the obtained IP address of the destination station thus converted signal to/from the destination station via the IP network connecting means, in response to the acquirement of the IP address of the destination station by said IP address obtaining means.~~

14. and 15. (Canceled)

16. (Currently Amended) A computer-readable storage medium according to Claim 13, wherein the IP address obtaining means judges, by analyzing the telephone number of the destination station, whether or not the obtaining means is able to perform the communication with the destination station via a VoIP network, and tries to obtain the IP address of the destination station from a predetermined server when it is able to perform the communication via the VoIP network, and the first IP communication step transmits/receives the image transmitting/receiving the communication data to/from the destination station on the IP network based on the predetermined file transmit/receive protocol independent of the facsimile protocol by using the obtained IP address of the destination station.

17. (Previously Presented) A computer-readable storage medium according to Claim 13, further comprising a control step of performing the transmission/reception of the communication data on the IP network and the transmission/reception of the communication data on an analog communication path by using an ADSL (Asymmetric Digital Subscriber Line) modem.

18. (Currently Amended) A computer-readable storage medium according to Claim 13, further comprising a control steps of obtaining the IP address of the destination station from a predetermined server based on the telephone number of the destination station by using a predetermined UDP (User Datagram Protocol), and the first IP communication step transmits/receives the image ~~transmitting/receiving the communication~~ data to/from the destination station by using the obtained IP address of the destination station based on a predetermined TCP (Transmission Control Protocol).

19. to 26. (Canceled)